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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,979	01/10/2000	WILLIAM HILL	13237-1701/M	3757

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EXAMINER	
HUYNH, CONG LAC T	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/479,979	HILL ET AL.	
	Examiner	Art Unit	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *35-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *35-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: response filed 9/22/06 to the application filed on 01/10/00 which is a continuation of the application 08/847,427 filed on 4/24/97, now US Pat No. 6,023,714.

2. Claims 35-54 are pending in the case. Claims 35, 42, and 48 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 35-54 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al., Dynamic Hypertext and Knowledge Agent Systems for Multimedia

Information Networks, ACM 1993, pages 82-93, in view of Hunt et al. (US Pat No. 5,764,235) and DeRose et al. (US Pat No. 5,557,722, 9/17/96, filed 4/7/95).

Regarding independent claim 35, Shibata discloses:

- selecting one format from multiple available formats based on the set of capabilities of the output device (pages 82-83, 86-87: adjusting accordingly to the user workstation capabilities through the format conversion implies that a suitable format is selected based on the capabilities of the user workstation)
- formatting the document for presentation on the output device (pages 82-83, 86-87: the format conversion of the document formats the document for presentation on the output device)

Shibata does not disclose:

- interrogating the output device to determine a set of capabilities of the output device in response to a request for the document
- formats for a document are the style sheets

Hunt discloses negotiating between the server machine and the client machine to determine a quality-size tradeoff for the graphical image when there is a request for a graphical image from the client machine (col 2, lines 44-52, col 14, lines 14-22, line 64 to col 15, line 7, col 13, lines 7-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Hunt and combined Hunt into Shibata since the negotiating in Hunt includes *interrogating* from the server to the client and compromising between

the client and the server to *determine* the size for the requested graphical image to be delivered to the client suitable to the capability of client terminal (col 13, lines 7-20). Combining interrogating included in negotiating of Hunt into Shibata would make it easier in accurately determining the capabilities of the output device at client upon a request for a document from the client.

Shibato and Hunt do not disclose the formats for the documents are the style sheets. DeRose discloses that a style sheet includes format characteristics for type names of elements in a document and a document is also provided with one or more style sheets for specifying format characteristics for its display (col 3, lines 28-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to further combine DeRose into Shibata and Hunt for the following reason. DeRose indicates that the format characteristics of the elements in a document are equivalent to the style sheets of the elements in a document providing the advantage to incorporate into Shibata and Hunt to select a style sheet from a plurality of style sheets based upon the capabilities of the output device since selecting the format characteristics is considered equivalent to selecting style sheets.

Regarding claim 36, which is dependent on claim 35, Shibata and DeRose do not disclose explicitly that a layout generator is used for interrogating the output device to determine a set of the capabilities of the output device and selecting one of a plurality of style sheets based upon the set of capabilities of the output device.

However, Shibata does teach determining a set of the capabilities of the output device and selecting one format from a plurality of available formats where these formats are suitable to the user workstation (as mentioned in claim 35). DeRose discloses that the style sheets includes format characteristics of the elements of a document (as mentioned in claim 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata since DeRose discloses that the style sheets are merely the format characteristics of the elements in a document providing the advantage to incorporate into Shibata for selecting a style sheet from a plurality style sheets based on the capabilities of the output device to format a document according to capabilities of the output device determined via checking the capabilities of the output device.

Regarding claims 37, 45 and 50, which are dependent on claims 35, 42, 48, Shibata discloses that the layout generator is external to the document (pages 82-83, 86-87: a knowledge agent that *performs the format conversion of the document* to adjust to the user workstation capabilities is *separate from the content of the document* shows that it is equivalent to the layout generator and is external to the document).

Regarding claims 38-41, 46-47, 49, 51-52, which are dependent on claims 35, 42, 48, respectively, Shibata does not disclose embedding the style sheet in the document, placing a style tag corresponding to the selected style sheet in the document, wherein

the document includes a plurality of tags and embedding the selected style sheet comprises placing style attributes corresponding to the selected style sheet in the tags of the document.

DeRose discloses formatting an electronic document by including the style sheets in the markup elements i.e. the tags (col 3, line 57 to col 4, line 11, col 15, line 64 to col 16, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata for the following reason. The fact that DeRose discloses formatting a markup document using style sheets implies embedding style sheets in the markup tags since it was well known that a markup document is written using tags for including format characteristics to the elements in the markup document. Accordingly, it is suggested that the style sheets selected for the document to be delivered to an output device be embedded in the tags of the markup language document. This motivates to incorporate to Shibata for embedding style sheets in the tags of the markup language document for controlling the format of the document.

Independent claim 42 includes limitations of claim 35, and is rejected under the same rationale except generating the style sheet based upon the set of capabilities of the output device determined by interrogating the output device.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Hunt into Shibata and DeRose for the following reason.

Interrogating included in negotiating of Hunt to determine the capabilities of the output device at client upon a request for a document from the client would provide the advantage to incorporate into formatting a document using a style sheet according to client workstation Shibata and DeRose for obtaining a stylesheet to be generated based upon the capabilities of the output device to format the document for presentation with said stylesheet.

Regarding claim 43, which is dependent on claim 42, Shibata discloses formatting documents suitable to the output device with a layout generator (pages 82-83, 86-87: the knowledge agent performs the format conversion of each document according to the request of each user at the user workstation, the knowledge agent, thus, is considered equivalent to a layout generator adapted for use with a plurality of documents). Shibata does not disclose that generating a style sheet is performed for such formatting. DeRose discloses that a generated style sheet includes format characteristics for type names of elements in a document and a document is also provided with one or more style sheets for specifying format characteristics for its display (col 3, lines 28-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined DeRose into Shibata since DeRose shows that the format characteristics of a document is the stylesheet of the document. This provides the advantage to incorporate into Shibata to generate a style sheet for a document or a plurality of documents according to the output device and using said style sheet to format the document at the output device.

Regarding claim 44, which is dependent on claim 42, the claim is rejected under the same rationale as in claim 43 since said generating a style sheet can be applied for a plurality of documents as well as for a document.

Regarding independent claim 48 includes the limitations as in claims 35 and 42, and is rejected under the same rationale of claims 35 and 42.

Regarding claim 53, Shibata and DeRose disclose that the document is a markup language document (Shibata: pages 82-83, 86; DeRose: col 3, lines 12-50, col 8, line 39 to col 9, line 20).

Regarding claim 54, Shibata and DeRose does not disclose that interrogating the output device is performed using a layout generator.
Hunt discloses negotiating between the server machine and the client machine to determine a quality-size tradeoff for the graphical image when there is a request for a graphical image from the client machine (col 2, lines 44-52, col 14, lines 14-22, line 64 to col 15, line 7). Hunt does not explicitly disclose such negotiating is performed using a layout generator. However, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Hunt to include a unit as a layout generator for performing the negotiating since negotiating includes interrogating and determining the size of the requested graphical image relates to the layout feature of the graphical image.

Response to Arguments

6. Applicant's arguments filed 9/22/06 have been fully considered but they are not persuasive.

Applicants argue that Hunt does not disclose interrogating the output device to determine a set of capabilities of the output device in response to a request for the document.

Examiner agrees that Hunt does not actually address the interrogating step. However, Hunt does disclose *negotiating between client and server for a graphical image due to a request from client* wherein negotiating uses image control information to *determine the quality size tradeoff* and where the image control information includes *the output device resolution, which is a client device characteristic* to determine the quality size tradeoff (col 2, lines 44-52, col 14, lines 14-22, line 64 to col 15, line 7). Therefore, interrogating the output device at client is implied in negotiating between server and client for determining a set of capabilities of the output device in response to a request for the image file.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elo et al. (US 6,996,768)

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cong-Lac Huynh
Primary Examiner
Art Unit 2178
11/16/06